

COMBINED DECLARATION AND POWER OF ATTORNEY
IN C-I-P APPLICATION

As a below named inventor, I hereby declare that: my post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Memory Cell, Memory Cell Configuration and Fabrication Method

described and claimed in the foregoing specification; that this application in part discloses and claims subject matter disclosed in my earlier filed application No. 09/900,654, filed July 6, 2001; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that, as to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application under 37 C.F.R. 1.56(a); and that no application for patent or inventor's certificate of this invention has been filed earlier than the following in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns:

Country: Federal Republic of Germany, Application No. 100 39 441.8, filed August 11, 2000, the International Priority of which is claimed under 35 U.S.C. 119;

and in such other countries where applications may have been filed subsequently to the filing of said German application; the priority of said German application being hereby specifically claimed by me; that, as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or sale in the United States of America more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; that I acknowledge my duty to disclose information which is material to the examination of this application of which I am

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